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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,083	12/27/2007	Richard A. Graff	Graff-PCT-04	6893
Peter K. Trzyna PO Box 7131 Chicago, IL 60680-7131				
EXAMINER				
VIG, NARESH				
ART UNIT		PAPER NUMBER		
3688				
MAIL DATE		DELIVERY MODE		
12/20/2011		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/580,083

Applicant(s)

GRAFF, RICHARD A.

Examiner

NARESH VIG

Art Unit

3688

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 1,3,5,7,9,11,13,15,17-21,23,25,27-29,31 and 33-72 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☒ Claim(s) 1,3,5,7,9,11,13,15,17-21,23,25,27-29,31, 33-41,48-50,52-55,57-68 and 70 is/are allowed.
- 7) ☒ Claim(s) 42-47,51,56,69,71 and 72 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

This is in reference to communication received 10 may 2011. Addition of claims 70 – 72 is acknowledged. Claims 1, 3, 5, 7, 9, 11, 13, 15, 17 – 21, 23, 25, 27 – 29, 31 and 33 – 72 are pending for examination.

Response to Arguments

Applicant's arguments and concerns have been considered and responded to in response to pending amended claims.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 42 – 47, 51, 56, 69, 71 - 72 are rejected under 35 U.S.C. 101 because based upon consideration of all of the relevant factors with respect to the claim as a whole, claims 42 – 47, 51, 56, 69, 71 - 72 held to claim an abstract idea, and is therefore rejected as ineligible subject matter under *35 U.S.C. § 101*. The rationale for this finding is explained below. The invention as currently claimed, it is deemed that a human performs the claimed limitations, wherein said human:

provides a computer system, including a processor and an output device, configured to receive input data representing a plurality of components temporally

decomposed from residential property, the components including a residential estate for years interest and a residential remainder interest, wherein there is a terminal rent recovery period for the residential estate for years interest;

controls the processor to manipulate the data representing the plurality of components to produce a separate valuation of each of the plurality of said components and to generate digital data representing documentation including the separate valuation of each of the plurality of said components (**i.e. performs data entry by populating a spreadsheet etc.**); and

produces the documentation at the output device.

Dependent claims when analyzed as a whole are held to be ineligible subject matter and are rejected under *35 U.S.C. § 101* because the additional recited limitation(s) fail(s) to establish that the claim is not an abstract idea, as detailed below:

said human produces a document which can be a financial document.

As for claim 51, RAM is a volatile memory which loses the information when the power is disconnected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 42 – 47, 56, 69, 71 – 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graff US Patent 6,192,347.

Regarding claim 42, Graff teaches capability and concept for system and method of using an apparatus to transform data representing components temporally decomposed from residential property, the method including:

providing a computer system, including a processor and an output device, configured to receive input data representing a plurality of components temporally decomposed from residential property, the components including a residential estate for years interest and a residential remainder interest, wherein there is a terminal rent recovery period for the residential estate for years interest [Graff, Fig. 1, and associated disclosure];

controlling the processor to manipulate the data representing the plurality of components to produce a separate valuation of each of the plurality of said components [Graff, Fig. 1, and associated disclosure]

Even though Graff does not explicitly recite terminal recover period (**applicant recites in the disclosure, 0064, Terminal Recover Period is a reserved time period at the end of Lease, during which to evict the lessee if the financing has not been satisfied**). In addition, applicant as disclosed in the specification, Terminal Recovery Period is a Random number since the applicant is not using any disclosed Formula(e) to determine the Terminal Recovery Period (see 0065). Graff teaches in the event of default or insolvency, number of days landlord has provisioned for Terminal Rental Recovery [Graff, col. 53, line 19 – col. 54, line 53].

Therefore it would have been obvious to one of ordinary skill in the art that Graff teaches concept and capability wherein at least one of the valuations can reflect that there is a terminal recovery period for the residential estate for years interest;

Graff teaches concept and capability for:

controlling the processor to manipulate the data representing the plurality of components to produce a separate valuation of each of the plurality of said components and to generate digital data representing documentation including the separate valuation of each of the plurality of said components [Graff, col. 53, line 19 – col. 54, line 53, Fig. 1, and associated disclosure]; and

producing the documentation at the output device, [Graff, Fig. 2, and associated disclosure.

Regarding claim 43, as responded to earlier, Graff teaches capability and concept for system and method of using an apparatus to transform data representing a component temporally decomposed from residential property, the method including:

providing a computer system, including a processor and an output device, configured to receive input data including data representing a temporally decomposed component of residential property, wherein the temporally decomposed component of the residential property is one of a residential estate for years interest and a residential remainder interest, wherein there is a terminal rent recovery period for the residential estate for years interest [Graff, col. 53, line 19 – col. 54, line 53, Fig. 1, and associated disclosure];

controlling the processor to manipulate the data representing the temporally decomposed component to produce a valuation of the component and to generate digital data representing documentation including the valuation, wherein the valuation can reflect that there is a terminal rent recovery period for the residential estate for years interest [Graff, col. 53, line 19 – col. 54, line 53, Fig. 1, and associated disclosure]; and

producing the documentation including the valuation at the output device [Graff, Fig. 2, and associated disclosure].

Regarding claim 44, as responded to earlier, Graff teaches capability and concept for system and method of using an apparatus to transform data representing a component temporally decomposed from residential property, the method including:

providing a computer system, including a processor and an output device, configured to receive input data including data representing a temporally decomposed component from residential property, wherein the temporally decomposed component from the residential property is one of a residential estate for years interest and a residential remainder interest, wherein there is a terminal rent recovery period for the residential estate for years interest [Graff, col. 53, line 19 – col. 54, line 53, Fig. 1, and associated disclosure];

controlling the processor to manipulate the data representing the temporally decomposed component to produce digital data representing documentation including a computed tax valuation of the temporally decomposed component [Graff, col. 53, line 19 – col. 54, line 53, Fig. 1, and associated disclosure]; and

producing, at the output device, the documentation including the tax valuation [Graff, Fig. 2, and associated disclosure].

Regarding claim 45, as responded to earlier, Graff teaches capability and concept for system and method of using an apparatus to transform data representing a component from residential property, the method including:

providing a computer system, including a processor and an output device, configured to receive input data including data representing a component from residential property, wherein the component from the residential property is one of a residential estate for years interest and a residential remainder interest, wherein there is

a terminal rent recovery period for the residential estate for years interest [Graff, col. 53, line 19 – col. 54, line 53, Fig. 1, and associated disclosure];

controlling the processor to manipulate the data representing the component to produce digital data representing documentation including a computed insurance premium on the component [Graff, col. 53, line 19 – col. 54, line 53, Fig. 1, and associated disclosure]; and

producing the documentation including the insurance premium at the output device [Graff, Fig. 2, and associated disclosure].

Regarding claim 46, as responded to earlier, Graff teaches capability and concept for system and method of using an apparatus to transform data representing an equity interest in a component of residential property, the method including:

providing a computer system, including a processor and an output device, configured to receive input data including data representing an equity interest in a component of residential property, wherein the component of the residential property is one of a residential estate for years interest and a residential remainder interest, wherein there is a terminal rent recovery period for the residential estate for years interest [Graff, col. 53, line 19 – col. 54, line 53, Fig. 1, and associated disclosure];

controlling the processor to manipulate the data representing the component to produce digital data representing documentation including a computed tax valuation of the equity interest [Graff, col. 53, line 19 – col. 54, line 53, Fig. 1, and associated disclosure]; and

producing, at the output device, the documentation including the tax valuation [Graff, Fig. 2, and associated disclosure].

Regarding claim 47, as responded to earlier, Graff teaches capability and concept for system and method of using an apparatus to transform data representing including an equity interest in a component of temporally decomposed residential property, the method including:

providing a computer system, including a processor and an output device, configured to receive input data including data representing an equity interest in a component of residential property, wherein the component of the residential property is one of a residential estate for years interest and a residential remainder interest, wherein there is a terminal rent recovery period for the residential estate for years interest [Graff, col. 53, line 19 – col. 54, line 53, Fig. 1, and associated disclosure]:

controlling the processor to manipulate the data representing the equity interest to compute a valuation of the equity interest and to generate digital data representing documentation including the valuation of the equity interest, wherein the valuation reflects that there is a terminal rent recovery period for the residential estate for years interest [Graff, col. 53, line 19 – col. 54, line 53, Fig. 1, and associated disclosure]; and

producing, at the output device, the documentation including the valuation [Graff, Fig. 2, and associated disclosure].

Regarding claim 56, as responded to earlier, Graff teaches capability and concept for system and method of using an apparatus to manipulate data representing a component temporally decomposed from residential property, the method including:

providing a computer system to receive input data, the computer system including a processor and an output device, the data representing residential property, wherein the property is temporally decomposed into components including a residential estate for years interest and a residential remainder interest, wherein there is a terminal rent recovery period for the residential estate for years interest [Graff, col. 53, line 19 – col. 54, line 53, Fig. 1, and associated disclosure];

controlling the processor to manipulate the input data to compute a tax on one of the components and to generate digital data representing documentation including the tax [Graff, col. 53, line 19 – col. 54, line 53, Fig. 1, and associated disclosure]; and

converting, at the output device, the digital data into documentation including the tax [Graff, Fig. 2, and associated disclosure].

Regarding claim 69, Graff teaches capability and concept wherein the documentation can include a financial document.

Regarding claim 71, Graff teaches capability and concept wherein the terminal rent recovery period can have a length of at least two years.

Regarding claim 72, Graff teaches capability and concept wherein the residential property can be a single-family dwelling

Allowable Subject Matter

Claims 1, 3, 5, 7, 9, 11, 13, 15, 17 – 21, 23, 25, 27 – 29, 31, 33 – 41, 48 – 50, 52 – 55, 57 – 68 and 70 are deemed allowable.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NARESH VIG whose telephone number is (571)272-6810. The examiner can normally be reached on Mon-Thu 7:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

December 16, 2011

/Naresh Vig/
Primary Examiner, Art Unit 3688